

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SHAARILLE LINZY,

Plaintiff,

Civil Action No.: 1:21-CV-05097

-against-

UBER TECHNOLOGIES, INC.,

Defendant.

-----X

PLAINTIFF PROPOSED VERDICT SHEET

Plaintiff Shaarille Linzy, by her attorneys, Rosenbaum & Rosenbaum, P.C. respectfully requests that the instant verdict sheet be given to the jury for deliberating of the trial of this action:

INSTRUCTIONS:

ALL JURORS MUST AGREE ON THE ANSWER TO EACH QUESTION.

MAKE NO MARKS ON BLANK SPACES. MARK ANSWERS TO QUESTIONS ONLY ON THE LINES PROVIDED.

1. Did the Plaintiff SHAARILLE LINZY prove by a preponderance of the evidence that UBER TECHNOLOGIES, INC. was negligent by requiring its drivers, to utilize portable electronic devices while operating a motor vehicle.

Yes _____ No _____

all jurors must agree on the answer to this question.

If your answer to Question #1 is Yes, please proceed to answer Question #2.

If your answer to Question #1 is No, please proceed to answer Question #3.

2. Did the Plaintiff SHAARILLE LINZY prove by a preponderance of the evidence that UBER TECHNOLOGIES, INC. negligence was a substantial factor in causing the incident?

Yes _____ No _____

all jurors must agree on the answer to this question. Please proceed to Question #3

3. Did the Plaintiff SHAARILLE LINZY prove by a preponderance of the evidence that JOSE ALEMAR was negligent

Yes _____ No _____

all jurors must agree on the answer to this question.

If your answer to Question #3 is Yes, please proceed to answer Question #4. If your answer to Question #1 and #3 are No, please proceed no further and let the Court know you are done deliberating. Do not answer any additional questions.

4. Did the Plaintiff SHAARILLE LINZY prove by a preponderance of the evidence that JOSE ALEMAR's negligence was a substantial factor in causing the incident?

Yes _____ No _____

all jurors must agree on the answer to this question.

If your answer to Question #4 is Yes, please proceed to answer Question #5.

If your answer to Question #4 is No, but your answer to Question #2 is Yes, please proceed to answer Question #6.

If your answer Question #2 and #4 is No, please proceed no further and let the Court know you are done deliberating. Do not answer any additional questions.

5. Did the Plaintiff SHAARILLE LINZY prove by a preponderance of the evidence that UBER TECHNOLOGIES, INC. should be liable for the negligence of JOSE ALEMAR?

Yes _____ No _____

all jurors must agree on the answer to this question.

If your answer to Question #5 is Yes, please proceed to answer Question #6.

If your answer to Question #5 is No, but your Answer to Question #2 is Yes, please proceed to Question #6.

6. Did UBER TECHNOLOGIES, INC. prove by a preponderance of the evidence that Plaintiff SHAARILLE LINZY was negligent?

Yes _____ No _____

all jurors must agree on the answer to this question.

If your answer to Question #6 is Yes, please proceed to answer Question #7.

If your answer to Question #6 is No, please proceed to Question #8. Do not answer Question #7.

7. Did UBER TECHNOLOGIES, INC. prove by a preponderance of the evidence that Plaintiff SHAARILLE LINZY's negligence was a substantial factor in causing the incident?

Yes _____ No _____

all jurors must agree on the answer to this question.

Please proceed to answer Question #8.

8. Please state the percentages of fault for each party listed below. The total of these percentages must equal 100%:

JOSE ALEMAR _____ %

Plaintiff SHAARILLE LINZY _____ %

Defendant UBER TECHNOLOGIES, INC. _____ %

all jurors must agree on the answer to this question.

Please proceed to answer Question #9

9. Did Plaintiff SHAARILLE LINZY prove by a preponderance of the evidence that she has sustained a Permanent Total Loss of Use of a Body Organ, Member, Function or System that was proximately caused by this incident?

Yes _____ No _____

all jurors must agree on the answer to this question.

Please proceed to answer Question #10

10. Did Plaintiff prove by a preponderance of the evidence that she has sustained a Permanent Consequential Limitation of Use of a Body Organ or Member that was proximately caused by this incident?

Yes _____ No _____

all jurors must agree on the answer to this question.

Please proceed to answer Question #11

11. Did Plaintiff prove by a preponderance of the evidence that she has sustained a Significant Limitation of Use of a Body Function and System as a result of this incident?

Yes _____ No _____

all jurors must agree on the answer to this question.

Please proceed to answer Question #12

12. Did Plaintiff prove by a preponderance of the evidence that she has sustained a Non-Permanent Medically Determined Injury That Prevented Performance of Her Usual and Customary Daily Activities for 90 of 180 Days Immediately Following this accident?

Yes _____ No _____

all jurors must agree on the answer to this question.

Please proceed to answer Question #13

If you have answered Yes to any of Questions #9, #10, #11 or #12, proceed to answer Question #13. If you have Answered No to all of Questions #9, #10, #11 or #12, proceed no further and let the Court know you are done deliberating. Do not answer any additional questions.

13. State separately the amount awarded for the following items of damages, if any, to Plaintiff SHAARILLE LINZY, up to the date of your verdict:

Pain and suffering up to the date of your verdict. \$_____

If you decide not to make an award to the above items, you will insert the word "none" as to that item.

All jurors must agree on the answer to this question.

14. State separately the amount awarded for the following items of damages, if any, to Plaintiff SHAARILLE LINZY from the date of your verdict to be incurred in the future: Pain and suffering, including the permanent effect of the injury, from the time of verdict for the time that Plaintiff SHAARILLE LINZY could be expected to live.

\$_____

If you decide not to make an award as to any of the above items, you will insert the word "none" as to that item.

All jurors must agree on the answer to this question.

Please proceed to answer Question #15.

15. If you have made any award for amounts intended to compensate Plaintiff SHAARILLE LINZY for damages to be incurred in the future, then for each item for which an award is made, state the period of years over which such amounts are intended to provide compensation.

Pain and suffering, including the permanent effect of the injury.

_____ years

If you make no award as to any of the above items, you will insert the word "none" as to that item.

All jurors must agree on the answer to this question.

STOP. Inform the Court of your verdict.

SHAARILLE LINZY reserves the right to amend or supplement this proposed verdict sheet depending on the proof adduced at trial.

Respectfully submitted,

/s/ Matthew T. Gammons
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